

_____Published in The Wichita Eagle, **November 5, 2004**

ORDINANCE NO. 46-368

AN ORDINANCE LEVYING ASSESSMENTS ON LOTS, PIECES AND PARCELS OF LAND IN THE CITY OF WICHITA, KANSAS, FOR THE PURPOSE OF PAYING A PORTION OF THE COST OF **IMPROVING WHEATRIDGE DRIVE, HORNECKER DRIVE, LYNNDAL STREET, WALKER AVENUE, ROGERS LANE & IRVING STREET, TO SERVE C. PATE ADDITION TO WHEATRIDGE, BLEDSOE, WHEATRIDGE, BOLTON, FRIESS & WELLS ACRE ADDITIONS & UNPLATTED TRACTS, (PROJECT NO. 490-883/472-83684)**

WHEREAS, pursuant to the proceedings regularly had according to law, contracts have been let for the following improvement in the City of Wichita, Kansas:

IMPROVING WHEATRIDGE DRIVE, HORNECKER DRIVE, LYNNDAL STREET, WALKER AVENUE, ROGERS LANE & IRVING STREET, TO SERVE C. PATE ADDITION TO WHEATRIDGE, BLEDSOE, WHEATRIDGE, BOLTON, FRIESS & WELLS ACRE ADDITIONS & UNPLATTED TRACTS, and such contracts have been duly performed, and

WHEREAS, the Governing Body has determined that the total cost of such improvement is **\$442,821.00** and that **\$442,821.00** be assessed against the improvement district and **\$0.00** be paid by the City at large, and

WHEREAS, said Governing Body has, after due notice, met and determined the amount of such special assessments.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS:

SECTION 1. Special assessments to pay the cost of said improvement as authorized by **Resolution No. R-03-001**, adopted **January 7, 2003**, and published **January 11, 2003, corrected & republished July 17, 2004**, be and the same are hereby levied against the several lots, pieces and parcels of land liable for special assessment for said improvement as follows:

LEGAL OF PARCEL IN BENEFIT DISTRICT	ASSESSMENT
BEG ON E LI SE1/4 & 1150 FT N OF N	4,884.17
LI HWY 54 W 475.6 FT N 200 FT E	
475.6 FT S 200 FT TO BEG EXC E	329.55

350 FT	SEC 25-27-2W	
BEG 1150 FT N HWY 54 & 225 FT W OF E LI SE1/4 W 125 FT N 200 FT E 125 FT S 200 FT TO BEG	SEC 25-27-2W	4,884.17 523.84
BEG 1350 FT N & 535.6 FT W INTSEC E LI SE1/4 & N LI HWY 54 W 217.8 FT S 200 FT E 217.8 FT N 200 FT TO BEG EXC E1/2	SEC 25-27-2W	4,884.17 564.02
BEG 1350 FT N & 535 FT W INTSEC E LI SE1/4 & N LI HWY 54 W 109.5 FT S 200 FT E 109.5 FT N 200 FT TO BEG	SEC 25-27-2W	4,884.17 1,141.14
BEG 1410 FT N & 535 FT W INTSEC E LI SE1/4 & N LI HWY 54 W 218.4 FT N 200 FT E 218.4 FT S 200 FT TO BEG EXC E 109.2 FT THEREOF SEC 25-27-2W		4,884.17 755.87
BEG 1410 FT N & 535 FT W INTSEC E LI SE1/4 & N LI HWY 54 W 109.2 FT N 200 FT E 109.2 FT S 200 FT TO BEG SEC 25-27-2W		4,884.17 560.36
BEG 1410 FT N & 1249 FT W INTSEC E LI SE1/4 & N LI HWY 54 W 217.8 FT N 200 FT E 217.8 FT S 200 FT TO BEG SEC 25-27-2W		4,884.17 1,105.65
BEG 1410 FT N & 1031.2 FT W INTSEC E LI SE1/4 & N LI HWY 54 W 217.8 FT N 200 FT E 217.8 FT S 200 FT TO BEG SEC 25-27-2W		4,884.17 301.97
BEG E LI SE1/4 & 1410 FT N OF N LI HWY 54 W 475 FT N 200 FT E 475 FT S 200 FT TO BEG EXC E 350.6 FT SEC 25-27-2W		4,884.17 517.59
BEG E LI SE1/4 & 1410 FT N OF N LI HWY 54 W 350.6 FT N 200 FT E 350.6 FT S 200 FT TO BEG EXC E 225.6 FT SEC 25-27-2W		4,884.17 476.59

BEG E LI SE1/4 & 1410 FT N OF N LI HWY 54 W 225.6 FT N 200 FT E 225.6 FT S TO BEG EXC E 40 FT FOR RD. SEC 25-27-2W	4,884.17 613.98
BEG 1410 FT N & 753.4 FT W INTSEC E LI SE1/4 & N LI HWY 54 W 217.8 FT N 200 FT E 217.8 FT S 200 FT TO BEG SEC 25-27-2W	4,884.17 533.70
BEG ON W LI OF E 3/4 SE1/4 1120 FT N OF HWY N 230 FT E 188.25 FT N 295 FT NW 236 FT SW 429 FT SLY 117 FT SLY 148 FT ELY 190 FT TO BEG EXC PT DED. FOR ST SEC 25-27-2W	4,884.17 2,168.98
BEG 1410 FT N & 971.2 FT W INTSEC N LI HWY 54 & E LI SE1/4 W 60 FT N 200 FT E 60 FT S 200 FT TO BEG SEC 25-27-2W	4,884.17
LOT 4 BLOCK 1 WHEATRIDGE ADD.	4,884.17
LOT 5 BLOCK 1 WHEATRIDGE ADD.	4,884.17 83.27
LOT 1 BLOCK 2 WHEATRIDGE ADD.	4,884.17 488.70
LOT 3 BLOCK 2 WHEATRIDGE ADD.	4,884.17 851.28
LOT 14 BLOCK 2 WHEATRIDGE ADD.	4,884.17
LOT 1 BLOCK 1 C. PATE ADD. TO WHEATRIDGE	4,884.17 547.09
LOT 2	4,884.17

BLOCK 1	
C. PATE ADD. TO WHEATRIDGE	482.11
LOT 3	4,884.17
BLOCK 1	
C. PATE ADD. TO WHEATRIDGE	105.06
LOT 4	4,884.17
BLOCK 1	
C. PATE ADD. TO WHEATRIDGE	115.36
LOT 5	4,884.17
BLOCK 1	
C. PATE ADD. TO WHEATRIDGE	764.68
LOT 6	4,884.17
BLOCK 1	
C. PATE ADD. TO WHEATRIDGE	921.43
LOT 7	4,884.17
BLOCK 1	
C. PATE ADD. TO WHEATRIDGE	718.45
LOT 8	4,884.17
BLOCK 1	
C. PATE ADD. TO WHEATRIDGE	202.82
LOT 9	4,884.17
BLOCK 1	
C. PATE ADD. TO WHEATRIDGE	534.14
LOT 1	4,884.17
BLOCK 2	
C. PATE ADD. TO WHEATRIDGE	495.71
LOT 2	4,884.17
BLOCK 2	
C. PATE ADD. TO WHEATRIDGE	758.89
LOT 3	4,884.17
BLOCK 2	
C. PATE ADD. TO WHEATRIDGE	839.46
LOT 4	4,884.17
BLOCK 2	
C. PATE ADD. TO WHEATRIDGE	459.78

LOT 5	4,884.17
BLOCK 2	
C. PATE ADD. TO WHEATRIDGE	490.73
LOT 6	4,884.17
BLOCK 2	
C. PATE ADD. TO WHEATRIDGE	1,325.74
LOT 7	4,884.17
BLOCK 2	
C. PATE ADD. TO WHEATRIDGE	610.27
LOT 8	4,884.17
BLOCK 2	
C. PATE ADD. TO WHEATRIDGE	476.71
LOT 9	4,884.17
BLOCK 2	
C. PATE ADD. TO WHEATRIDGE	733.86
LOT 10	4,884.17
BLOCK 2	
C. PATE ADD. TO WHEATRIDGE	469.40
LOT 11	4,884.17
BLOCK 2	
C. PATE ADD. TO WHEATRIDGE	683.53
LOT 12	4,884.17
BLOCK 2	
C. PATE ADD. TO WHEATRIDGE	971.37
LOT 13	4,884.17
BLOCK 2	
C. PATE ADD. TO WHEATRIDGE	46.26
LOT 1	4,884.17
BLOCK 3	
C. PATE ADD. TO WHEATRIDGE	1,539.28
LOT 2	4,884.17
BLOCK 3	
C. PATE ADD. TO WHEATRIDGE	1,077.57

LOT 3	4,884.17
BLOCK 3	
C. PATE ADD. TO WHEATRIDGE	835.66
LOT 4	4,884.17
BLOCK 3	
C. PATE ADD. TO WHEATRIDGE	533.30
LOT 5	4,884.17
BLOCK 3	
C. PATE ADD. TO WHEATRIDGE	476.28
LOT 6	4,884.17
BLOCK 3	
C. PATE ADD. TO WHEATRIDGE	831.75
LOT 7	4,884.17
BLOCK 3	
C. PATE ADD. TO WHEATRIDGE	456.64
LOT 8	4,884.17
BLOCK 3	
C. PATE ADD. TO WHEATRIDGE	553.85
LOT 9	4,884.17
BLOCK 3	
C. PATE ADD. TO WHEATRIDGE	469.00
LOT 10	4,884.17
BLOCK 3	
C. PATE ADD. TO WHEATRIDGE	703.63
LOT 11	4,884.17
BLOCK 3	
C. PATE ADD. TO WHEATRIDGE	452.17
LOT 12	4,884.17
BLOCK 3	
C. PATE ADD. TO WHEATRIDGE	832.38
LOT 13	4,884.17
BLOCK 3	
C. PATE ADD. TO WHEATRIDGE	132.61
LOT 14	4,884.17

BLOCK 3	
C. PATE ADD. TO WHEATRIDGE	114.94
LOT 1	4,884.17
BLOCK 4	
C. PATE ADD. TO WHEATRIDGE	911.03
LOT 2	4,884.17
BLOCK 4	
C. PATE ADD. TO WHEATRIDGE	463.13
LOT 3	4,884.17
BLOCK 4	
C. PATE ADD. TO WHEATRIDGE	461.09
LOT 4	4,884.17
BLOCK 4	
C. PATE ADD. TO WHEATRIDGE	535.28
LOT 5	4,884.17
BLOCK 4	
C. PATE ADD. TO WHEATRIDGE	112.40
LOT 6	4,884.17
BLOCK 4	
C. PATE ADD. TO WHEATRIDGE	501.70
LOT 7	4,884.17
BLOCK 4	
C. PATE ADD. TO WHEATRIDGE	518.79
LOT 1	4,884.17
BLOCK 5	
C. PATE ADD. TO WHEATRIDGE	941.01
LOT 2	4,884.17
BLOCK 5	
C. PATE ADD. TO WHEATRIDGE	484.57
LOT 3	4,884.17
BLOCK 5	
C. PATE ADD. TO WHEATRIDGE	524.23
LOT 4	4,884.17
BLOCK 5	
C. PATE ADD. TO WHEATRIDGE	463.36

LOT 5	4,884.17
BLOCK 5	
C. PATE ADD. TO WHEATRIDGE	467.84
LOT 6	4,884.17
BLOCK 5	
C. PATE ADD. TO WHEATRIDGE	624.19
LOT 7	4,884.17
BLOCK 5	
C. PATE ADD. TO WHEATRIDGE	739.03
LOT 8	4,884.17
BLOCK 5	
C. PATE ADD. TO WHEATRIDGE	772.67
LOT 9	4,884.17
BLOCK 5	
C. PATE ADD. TO WHEATRIDGE	479.07
LOT 1	4,884.17
BLED SOE ADD.	243.77
LOT 2	4,884.17
BLED SOE ADD.	440.51
LOT 3	4,884.17
BLED SOE ADD.	442.02
LOT 4	4,884.17
BLED SOE ADD.	547.25
LOT 1	4,884.17
BLOCK A	
FRIESS ADD.	911.69
LOT 2	4,884.17
BLOCK A	
BOLTON ADD.	478.47
LOT 3	4,884.54
BLOCK A	
BOLTON ADD.	910.24

W 108.9 FT LOT 2	3,188.90
BLOCK 2	
WHEATRIDGE ADD.	
LOT 2 EXC W 108.9 FT	1,695.27
BLOCK 2	
WHEATRIDGE ADD.	369.18
LOT 1 EXC W 114.5 FT	2,393.94
BLOCK A	
WELLS ACRE ADD.	
W 114.5 FT LOTS 1 & 2	4,980.27
BLOCK A	
WELLS ACRE ADD.	441.48
LOT 2 EXC W 114.5 FT	2,394.13
BLOCK A	
WELLS ACRE ADD.	640.46

SECTION 2. The amounts so levied and assessed as set forth in the foregoing Section 1 shall be due and payable from and after the date hereof at the Debt Management Section of the Finance Department. The owners of the properties will be given a period until 5:00 o'clock p.m. on **December 6, 2004**, during which the special assessments may be paid and the lien against the property for which the special assessment is paid shall thereupon be discharged and satisfied.

SECTION 3. That payment of said assessments may indefinitely be deferred against those property owners eligible for such deferral as provided in City of Wichita Ordinance No. 43-977.

SECTION 4. For any portion of the assessments which are not paid by the above specified date and time, general obligation bonds of the City, payable in installments over a period of not to exceed fifteen (15) years, will be issued as provided by K.S.A. 12-6a14 (c), and the principal amount of the unpaid assessments, together with interest on the unpaid principal balance thereof at a rate to be determined by the Governing Body (such rate not to exceed the maximum rate allowed by K.S.A. 10-1009, as amended) will be certified to the County Clerk of Sedgwick County, Kansas, for the aforesaid number of years, and will be levied against the property liable therefor in the same form and manner as, and will be collected at such time as is customary for, the levying and collecting of ad valorem property taxes, and the taxes so collected will be used for the purpose of paying

the principal of and the interest on such general obligation bonds as they mature and become due. The first such levy shall be made for the year **2005**.

SECTION 5. This ordinance shall take effect and be in force as of and on **November 5, 2004** after its passage and publication once in the official city paper.

ADOPTED at Wichita, Kansas on **November 2, 2004**.

Carlos Mayans, Mayor

ATTEST:

Karen Sublett, City Clerk
(seal)

APPROVED AS TO FORM:

Gary Rebenstorf, Director of Law